



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

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| DOD: 10-5-99 | | <p>DALE BOLDEN, Administrator with Full IAEA, filed a Petition Requesting Partition of Real Property and Reimbursement of Costs Advanced and Past Due Rents and for Attorney's Fees on 05/23/12.</p> <p>Minute Order from Status Conference on 10/26/12 states: Parties reach a settlement agreement as fully set forth by Mr. Johnson. Upon inquiry by the Court, parties individually agree to the terms and conditions of the settlement agreement. Mr. Motsenbocker is directed to prepare the agreement. Matter set for Status Hearing on 04/26/13. If all necessary documents are filed by 04/26/13, no appearance will be necessary.</p> <p>Status Report Re Estate Administration filed 04/22/13 states: In October 2012, the Ebenezer Church of God in Christ (the "Church") entered into an agreement with the Administrator of the decedent's estate to settle their dispute regarding ownership interests in the church premises. The Church agreed to pay the Administrator the sum of \$30,000.00 in monthly installments on the first of each month beginning December 2012 until the settlement was paid in full. The Church as thus far paid \$25,000.00 and the final payment is expected on 05/01/13. The Administrator stands ready, upon final payment, to convey the interest of the estate in the church premises to the Church upon the Church's instruction as to the property party name as the grantee on a grant deed. The Church's attorney has yet to provide a copy of the order that he prepared memorializing the settlement. Administrator's attorney prepared and forwarded a settlement agreement to the Church's attorney for approval and required signatures; that document has not been signed by the Church or returned to the Administrator. As soon as the documents are submitted as promised and the final payment is made, the Administrator stands ready to perform as agreed and she is prepared to submit a final account and request distribution of this estate.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 07/12/13 Minute Order from 07/12/13 states: The Court finds that the terms of the settlement have been met. The Settlement has been circulated to Attorney Johnson. The Court orders Attorney Johnson to be personally present in court with his clients at the next hearing. The Court will send notice to Attorney Johnson. If the settlement agreement is signed and submitted the matter may go off calendar.</p> |
| Cont. from 042613, 071213 | | | |
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Status Report Re Estate Administration filed 07/11/13 states: As of May 2013, the Ebenezer Church of God in Christ has made all of the payments agreed upon in the Settlement Agreement in total sum of \$30,000.00. The estate delivered a deed to the church shortly after payment was made in May. The Administration has performed all matters in the agreement as instructed and agreed upon. The difficulties remaining are that the Church's attorney has yet to provide a copy of the order that he prepared memorializing the settlement and compromise. The attorney for the Administrator prepared and forwarded a settlement agreement to Respondent's attorney for approval and the required signatures around the beginning of the year, but that document has not been executed or returned to the Administrator's attorney. The Administrator has been ready to submit the final account and request for distribution of the estate for several months now, but for, a new dispute in regard to certain mineral rights which has now come to light. That disputed matter is set for mediation on 08/01/13 and a follow-up status hearing on the matter is set for 08/14/13.

Clerk's Certificate of Mailing filed 07/17/13 states that a copy of the **Minute Order dated 07/12/13** was mailed to Gary Motsenbocker and Mark D. Johnson on 07/17/13.

Atty David M. Gilmore and Ryan M. Janisse (for Cindy Snow Henry – Beneficiary – Petitioner)

Atty Armo, Lance (for Robert Snow)

Atty Paul Franco (for Louis Brosi, III)

Atty Wilson, Joshua G. (of Bakersfield, for Louis Brosi, Jr.)

Notice of Motion and Motion to Compel Performance Under Settlement Agreement

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| | | CINDY SNOW HENRY , Trust beneficiary, filed Notice of Motion and Motion to Compel Performance Under Settlement Agreement on 3-15-11. | NEEDS/PROBLEMS/COMMENTS: Page 2A: Ms. Henry's Motion filed 3-15-11 Page 2B: Court Trial (Previously: Status Conference Re: Lot Split & Related Matters) Page 2C: Ms. Henry's Petition filed 11-5-12 Page 2D: Settlement Conference Re: Issue of Removing Louis Brosi, Jr. (per Min Order 1-2-13 of Cindy Henry's Motion filed 3-15-11, Page 1A) Note: CINDY SNOW HENRY filed a new Petition to Remove Trustee; Appoint Public Administrator as Trustee; Require Trustee Correct Title; and Compel Trustee to Account on 11-5-12 (Page 1C). 1. The Court may require updated information regarding whether Petitioner intends to pursue a ruling on <u>this petition</u> with reference to the new petition filed 11-5-12. |
| Cont. from 121012, 010213, 020413, 030413, 031213, 041813, 051713, 062813 | | | |
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| Inventory | | The petition seeks to have the court order LOUIS BROSI, III carry out the acts necessary to partition the property into three parcels anticipated and directed by the settlement reached 3-5-09. LOUIS BROSI, JR. filed Opposition on 4-28-11 stating that new issues have arisen since the settlement. Minute Order 1-2-13: Mr. Wilson is appearing as counsel for Louis Brosi, Jr. Counsel requests a continuance. The Court sets a Settlement Conference for 2/4/13. Parties are directed to submit their settlement conference briefs along with courtesy copies for the Court by 1/30/13. Mr. Wilson is directed to submit any further objections by 1/30/13. The Court indicates to all counsel that it will entertain any order presented upon consent of the parties. Mr. Franco is directed to submit an order prior to 2/4/13 for the purpose of expediting the County process. Continued to 2-4-13 at 10:30am in Dept 303. Set on 2-4-13 at 10:30am in Dept 303 for Settlement Conference Re: Issue of Removing Louis Brosi, Jr. | |
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| Status Rpt | | Reviewed on: 8-6-13 | |
| UCCJEA | | Updates: | |
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| FTB Notice | | File 1A - Brosi | |

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| 2B | Louis Brosi, Sr. (Trust) | Case No. 07CEPR01213 |
| Atty | David M. Gilmore and Ryan M. Janisse (for Cindy Snow Henry – Beneficiary – Petitioner) | |
| Atty | Armo, Lance (for Robert Snow) | |
| Atty | Paul Franco (for Louis Brosi, III) | |
| Atty | Wilson, Joshua G. (of Bakersfield, for Louis Brosi, Jr.) | |

Court Trial (Previously: Status Conference Re: Lot Split & Related Matters)

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| <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> Set on 121012, 010213, 020413, 030413, 031213, 041813, 051713, 062813 </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10px;"> </td><td style="width: 80%;">Aff.Sub.Wit.</td><td style="width: 10px;"> </td></tr> <tr><td> </td><td>Verified</td><td> </td></tr> <tr><td> </td><td>Inventory</td><td> </td></tr> <tr><td> </td><td>PTC</td><td> </td></tr> <tr><td> </td><td>Not.Cred.</td><td> </td></tr> <tr><td> </td><td>Notice of Hrg</td><td> </td></tr> <tr><td> </td><td>Aff.Mail</td><td> </td></tr> <tr><td> </td><td>Aff.Pub.</td><td> </td></tr> <tr><td> </td><td>Sp.Ntc.</td><td> </td></tr> <tr><td> </td><td>Pers.Serv.</td><td> </td></tr> <tr><td> </td><td>Conf. Screen</td><td> </td></tr> <tr><td> </td><td>Letters</td><td> </td></tr> <tr><td> </td><td>Duties/Supp</td><td> </td></tr> <tr><td> </td><td>Objections</td><td> </td></tr> <tr><td> </td><td>Video Receipt</td><td> </td></tr> <tr><td> </td><td>CI Report</td><td> </td></tr> <tr><td> </td><td>9202</td><td> </td></tr> <tr><td> </td><td>Order</td><td> </td></tr> <tr><td> </td><td>Aff. Posting</td><td> </td></tr> <tr><td> </td><td>Status Rpt</td><td> </td></tr> <tr><td> </td><td>UCCJEA</td><td> </td></tr> <tr><td> </td><td>Citation</td><td> </td></tr> <tr><td> </td><td>FTB Notice</td><td> </td></tr> </table> | | Aff.Sub.Wit. | | | Verified | | | Inventory | | | PTC | | | Not.Cred. | | | Notice of Hrg | | | Aff.Mail | | | Aff.Pub. | | | Sp.Ntc. | | | Pers.Serv. | | | Conf. Screen | | | Letters | | | Duties/Supp | | | Objections | | | Video Receipt | | | CI Report | | | 9202 | | | Order | | | Aff. Posting | | | Status Rpt | | | UCCJEA | | | Citation | | | FTB Notice | | | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: This matter is set for Court Trial pursuant to Minute Order 12-10-12.</u></p> <p>(Examiner kept this matter's place as "B" page to keep matters in order.)</p> <p><u>Minute Order 12-10-12</u> <u>(Continued Status Conference Re: Lot Split & Related Matters):</u> Mr. Franco informs the Court that the issues have been resolved and the map has been filed with the County. Matter set for Court Trial on 1/2/13. The Court directs all counsel to file their briefs by 12/20/12.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 8-6-13</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 2B - Brosi</td></tr> </table> | Reviewed by: skc | Reviewed on: 8-6-13 | Updates: | Recommendation: | File 2B - Brosi |
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| File 2B - Brosi | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

2B

Petition to Remove Trustee; to Appoint Public Administrator as Trustee; to Require Trustee Correct Title; and to Compel Trustee to Account [Prob. C. 17200, 15642]

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| | | CINDY SNOW HENRY , Trust beneficiary, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> See Pages 1A (Continued hearing on Notice of Motion and Motion to Compel Performance under Settlement Agreement) and 1B (Court Trial re: Status of Lot Split and Related Matters). 1. Petitioner requests appointment of Public Administrator as Successor Trustee; however, it does not appear that the Public Administrator and County Counsel were sent Notice of Hearing or that an acceptance of trust has been signed pursuant to Probate Code §15600. |
| | | Petitioner states: Background: The Testamentary Trust of Louis Brosi Sr., was created under Louis Brosi's last will and testament. Louis Brosi, Jr., is designated as the trustee of the trust. Petitioner Cindy Snow Henry is a beneficiary. On 3-5-09, the parties entered into a Settlement Agreement recited into the record for the Court; however, there is no settlement document independent of the transcript, attached. Petitioner states the trustee has taken no action to comply with the Settlement Agreement or otherwise administer the trust since its entry. Instead, he has taken active steps to interfere with the Settlement Agreement, including, without limitation, trying to stop the efforts of Louis Brosi, III, to have the property split into three equal parcels as provided in the Settlement Agreement. The Court entered an order to enjoin that interference. In addition, the trustee has taken no steps in more than 3½ years to provide any inventory or accounting or taken steps to comply with the terms of the trust. He resides on the trust property without rent for his exclusive use and enjoyment of the property, and has provided no accounting or other information to the beneficiaries. He is utilizing trust property to run a commercial nursery for his own personal benefit and boarding horses on the property. See Exhibits 2 and 3 (photos). Petitioner states that on 9-30-11, a deed was recorded (attached) whereby the trustee, in his individual capacity, transfers the trust property to his minor granddaughter, Ashlyn Brosi. The trustee has represented at various times that he would rescind or otherwise correct the deed, but has not. <u>SEE ADDITIONAL PAGES</u> | |
| Cont. from 010213, 020413, 030413, 031213, 041813, 051713, 062813 | | | |
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| | | | File 2C - Brosi |

Petitioner states the trustee is required to be represented by counsel: No person can appear in Court for another person unless the person is an active member of the State Bar. Cal. B&P Code §6125.

The Trustee is not represented by counsel at this time. Petitioner states "a trust is not a legal personality and the trustee is the proper person to sue or be sued on behalf of a trust. However, a trustee's duties in connection with his or her office do not include the right to present argument in *propria persona* in courts of the state, because in this capacity such trustee would be representing the interests of others and would therefore be engaged in the unauthorized practice of law. *Ziegler v. Nickel*, (1998) 64 Cal.App.4th 545, 548."

Petitioner states the trustee has cycled through numerous attorneys in this matter and alleges that he fires his counsel as means to further delay trust administration. As of the filing of this petition, the trustee is representing himself in *propria persona*. Such representation constitutes the unauthorized practice of law in California and is improper.

Petitioner seeks an order removing trustee on grounds that he refuses to retain counsel to represent the interests of others as beneficiaries of the trust as required by law, in addition to his repeated failures to perform his duties as trustee.

[Examiner's Update: Pursuant to Substitution of Attorney filed 12-10-12, the trustee is now represented by Joshua G. Wilson of Darling & Wilson, Bakersfield, CA.]

Petitioner requests order removing trustee for breach of trust and appointing Public Administrator as successor trustee. Petitioner states the court's inherent authority to suspend a trustee's powers and remove for cause (cites provided). A trustee has a duty to take reasonable steps to preserve trust property; however, he has purportedly transferred the trust property to his minor granddaughter. Transferring trust property to an individual who is to a beneficiary does not preserve trust property and is a violation of the trustee's fiduciary duty, and was done to avoid complying with the trust.

Petitioner states the trustee has a duty to not use or deal with trust property for his own benefit per §16004(a), but is currently residing rent-free and running two different businesses for his own personal profit on trust property, and transferred trust property to his granddaughter. All of these actions constitute violation of trust terms and his fiduciary duties, and trustee's duty to avoid conflicts of interest. He is engaged in self-dealing and no effort is made to account for his actions.

Petitioner also states hostility between the trustee and beneficiaries is good cause for removal (cite provided). The trustee's behavior towards all beneficiaries is hostile and has resulted in a contentious trust administration. Removal is also appropriate for his refusal to take any action to close the trust or account, and ignores the direction of the court. He has utterly and completely failed to act as trustee.

For the foregoing reasons, Petitioner requests the Court order the trustee's removal and appoint the Public Administrator as successor trustee.

Petitioner further requests the trustee be personally sanctioned for his actions. All of his actions are in bad faith as his stated goal is to avoid complying with the terms of the trust.

Petitioner states the trustee bears costs of removal and should bear his own attorney fees (cites provided).

SEE ADDITIONAL PAGES

Petitioner requests order compelling account. In addition to removal of the trustee, Petitioner requests the Court order him to account for his actions from the date of the Settlement Agreement (March 2009) through present.

Petitioner anticipates the trustee will argue he has no duty to account because accounting was waived in 2009'; however, this argument is fallacious because the waiver, if effective at all, is only as to events to the date of settlement. Since then, he has done nothing to administer the trust, violated numerous fiduciary duties, used the property for free, and ran at least two businesses on the property without accounting to beneficiaries.

Petitioner states the trustee should be surcharged for his undue gain for such breaches.

Petitioner prays for an Order as follows:

1. Removing Louis Brosi, Jr., as trustee of the Testamentary Trust of Louis Brosi, Sr.
2. Ordering Louis Brosi, Jr., account for his actions as trustee in the manner prescribed in Probate Code § 1060-1064 from March of 2009 through the present;
3. Appointing the Public Administrator as successor trustee of the trust;
4. Ordering Louis Brosi, Jr., bear his own costs and attorney fees for defense of this action; Ordering Louis Brosi, Jr., retitle the Trust property in the name of the trust; and
5. For all other orders the Court deems just and proper.

Opposition filed 12-20-12 by Louis C. Brosi, III, states Mrs. Snow waived accounting in the Stella Brosi Estate and her undivided one-half of the western-most parcel is all that she will receive from the trust. In other words, Mrs. Snow has released all claims known and unknown against the trust and has waived an accounting.

The Court is familiar with the long sorted history of this family and this litigation, and is also aware that there have been allegations by all parties amongst each other, and against Mrs. Henry specifically, about causing delays. Over the last 12 months, significant progress has been made toward division of the property. Louis C. Brosi, III has been performing all of the division work as obligated under the Settlement Agreement. At this time, a tentative parcel map has been filed with the County of Fresno and the various public entities have begun their work towards approving the division and finalizing the map.

It has been too long in this process to remove Mr. Brosi as trustee now. Mrs. Henry is the only person advocating for his removal. Louis C. Brosi, III and Doris Brosi are against any such removal.

Objector states there is simply no basis for the removal. Mrs. Henry is not to receive any other money, land or benefit from the trust under the settlement agreement, so her request for accounting and the lack thereof as basis for removal is simply nonsensical. Her parcel has been cleared and no nursery, horse boarding or living by Mr. Brosi is happening on her expected parcel. The accounting is waived under the settlement agreement, so that is further reason why this is not a basis for removal.

It is understood Mr. Brosi is in the process of having title to the trust property reinstated.

If the genesis of Mrs. Henry's complaint is delays in administration, she hasn't seen anything if Mr. Brosi is removed and the public administrator is appointed. In fact, the public administrator was already previously appointed in this case, but was removed as part of the settlement. The parties are too close to the property being divided. He should not be removed at all. He is currently represented by counsel.

While Mr. Brosi's removal is objected to, if for any reason he should be removed, Objector requests DORIS BROSI be appointed trustee in his place.

2D Louis Brosi, Sr. (Trust)

Case No. 07CEPR01213

Atty David M. Gilmore and Ryan M. Janisse (for Cindy Snow Henry – Beneficiary – Petitioner)

Atty Armo, Lance (for Robert Snow)

Atty **Paul Franco (for Louis Brosi, III)**

Atty Wilson, Joshua G. (of Bakersfield, for Louis Brosi, Jr.)

Settlement Conference Re: Issue of Removing Louis Brosi, Jr.

[illegible]

2D

| | | | |
|----------------|---|--|---|
| Jade (13) | TEMP EXPIRES 8-12-13 | NEEDS/PROBLEMS/COMMENTS: <u>SEE PAGE 2</u> | |
| Ramon (2) | <p>ARIANNA MANCERA, Maternal Aunt, is Petitioner and requests appointment of LORRAINE MANCERA and DIANE MANCERA, Maternal Aunts, as Co-Guardians.</p> <p>Father (Jade): MODESTO BULOSAN</p> <p>Father (Ramon and Samuel): UNKNOWN</p> <p>Mother: DIAMOND TINE PAULA MANCERA BULOSAN</p> <p>Paternal Grandfather (Jade): Unknown Paternal Grandmother (Jade): Unknown</p> <p>Paternal Grandfather (Ramon and Samuel): Unknown Paternal Grandmother (Ramon and Samuel): Unknown</p> <p>Maternal Grandfather: Unknown Maternal Grandmother: Maria Paz Mancera - Deceased</p> <p>Petitioner states Jade was under guardianship with the maternal grandmother since she was 11 months old; however, the guardian passed away three years ago, and the family did not know that they should notify the Court. The mother also recently turned over Jade's half-brothers Samuel and Ramon to a family member stating that she could not care for them. The family member picked them up from what he believes was a crack house. The mother told him she was homeless. He brought them to the mother's sisters, since they have been caring for Jade and are the best people to care for the boys as well. The family is fearful that the mother will attempt to remove the children from their care – they were brought to the family filthy and hungry with matted hair and smelling of urine, ill-fitting clothes and no shoes.</p> <p>Court Investigator Jo Ann Morris filed a report on 8-2-13.</p> | | |
| Samuel (1) | | | |
| | | | |
| | | | |
| Aff. Sub. Wit. | | | |
| ✓ Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not. Cred. | | | |
| Notice of Hrg | | | X |
| Aff. Mail | | | X |
| Aff. Pub. | | | |
| Sp. Ntc. | | | |
| Pers. Serv. | | | X |
| ✓ Conf. Screen | | | |
| ✓ Letters | | | |
| ✓ Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| ✓ CI Report | | | |
| ✓ Clearances | | | |
| ✓ Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | X | | |
| Citation | | | |
| FTB Notice | | | |

Reviewed by: skc

Reviewed on: 8-8-13

Updates:

Recommendation:

File 4B – Bulosan & Suarez

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. **Need clarification:** Arianna Mancera is the Petitioner in this case, rather than the proposed guardians Lorraine Mancera and Diane Mancera. As a relative, Arianna can file this petition under Probate Code § 1510, but she is not otherwise a party to the case. Examiner notes that for Court fees to be waived, all petitioners must qualify. The Court may require clarification or separate requests for fee waivers from the proposed guardians, or payment of fees.
2. **Need UCCJEA (Form GC-120) per Probate Code §§ 1510(f), 1512** containing residence history for each minor for the past 5 years as well as information regarding other cases.
3. **Need Notice of Hearing.**
4. **Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per § 1511 or consent and waiver of notice or declaration of due diligence on:**
 - Jade Bulosan (minor, age 13)
 - Modesto Bulosan (father)
 - Father of Roman and Samuel
 - Diamondtine Paula Mancera Bulosan (mother)

Note: *Petitioner state Modesto Bulosan was deported to the Philippines due to criminal behavior and his whereabouts are unknown, and the father of Samuel and Roman is unknown to Petitioner. The mother's whereabouts are unknown.*

5. **Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per § 1511 or consent and waiver of notice or declaration of due diligence on:**
 - Jade's paternal grandparents
 - Roman and Samuel's paternal grandparents
 - Maternal grandfather

Atty Crawford, Angelita C. (Pro Per – Petitioner – Maternal Grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

| | | | |
|--|--|--|---|
| Dallas 9 | <p align="center">NO TEMPORARY REQUESTED</p> <p>Father of Dallas & Dylan: CHARLES KERNS</p> <p>Father of Dwayne: DWAYNE LAJUAN MCCOY</p> <p>Mother: ANITA ENGLISH</p> <p>Paternal Grandfather: Not Listed Paternal Grandmother: Donna Clark</p> <p>Maternal Grandfather: James English</p> <p>Petitioner states: Anita, the mother, was given custody of Dallas and Dylan after getting out of prison but has yet to take them from petitioners home. The children continue to reside with the petitioner. Petitioner continues to ask the mother when she is going to take her children home and she always replies "soon" but soon never comes. Petitioner states that the mother is just not ready to care for her children.</p> <p>Court Investigator Charlotte Bien's report filled 07/30/2013.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petition pertains only to Dallas Kerns, Dylan Kerns & Dwayne McCoy. Petitioner obtained guardianship of Ariel Golden on 03/18/2009.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Charles Kerns (Father of Dallas & Dylan) • Anita English (Mother) • Dwayne Lajuan McCoy (Father of Dwayne) 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Paternal Grandfather of Dallas & Dylan (Not Listed) • Donna Clark (Paternal Grandmother) • Paternal Grandparents of Dwayne (Not Listed) • James English (Maternal Grandfather) <p align="center"><u>Please see additional page</u></p> | |
| Dylan 7 | | | |
| Dwayne 1 | | | |
| Cont. from | | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> Verified | | | |
| <input type="checkbox"/> Inventory | | | |
| <input type="checkbox"/> PTC | | | |
| <input type="checkbox"/> Not.Cred. | | | |
| <input type="checkbox"/> Notice of Hrg | | | x |
| <input type="checkbox"/> Aff.Mail | | | x |
| <input type="checkbox"/> Aff.Pub. | | | |
| <input type="checkbox"/> Sp.Ntc. | | | |
| <input type="checkbox"/> Pers.Serv. | | | x |
| <input type="checkbox"/> Conf. Screen | | | |
| <input checked="" type="checkbox"/> Letters | | | |
| <input checked="" type="checkbox"/> Duties/Supp | | | |
| <input type="checkbox"/> Objections | | | |
| <input type="checkbox"/> Video Receipt | | | |
| <input checked="" type="checkbox"/> CI Report | | | |
| <input type="checkbox"/> 9202 | | | |
| <input checked="" type="checkbox"/> Order | | | |
| <input type="checkbox"/> Aff. Posting | | | |
| <input type="checkbox"/> Status Rpt | | | |
| <input checked="" type="checkbox"/> UCCJEA | | | |
| <input type="checkbox"/> Citation | | | |
| <input type="checkbox"/> FTB Notice | | | |

| |
|---|
| Reviewed by: LV |
| Reviewed on: 08/07/2013 |
| Updates: |
| Recommendation: |
| File 5 – Golden, Kerns & McCoy |

NEEDS/PROBLEMS/COMMENTS (continued):

4. UCCJEA does not provide the children's residence for the past five years as required.
5. Page #5 of the Guardianship Petition – Child Attachment form is incomplete for each child. Page #5 pertains to whether the children have any known Indian Ancestry. Need declaration with page #5 attached for each child.
6. Page #2 of the Guardianship Petition –Child Attachment form for Dallas Kerns is missing. Page #2 pertains to the relatives of the child. Need declaration with page #2 attached.

Petition for Termination of Guardianship

| | | | | |
|----------------------|----------------------|--|--|---|
| Age: 18 years | | <p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Father: PETER GARCIA – whereabouts unknown.</p> <p>Mother: SUSAN MORALES – deceased.</p> <p>Paternal grandparents: unknown Maternal grandfather: Deceased.</p> <p>Former minor, Gerald Ray Morales consents and waives notice.</p> <p>Petitioner states the minor is 18 and a guardianship is no longer necessary.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Final Accounting has been filed and is set for 9/12/2013.</p> <p>1. Need Notice of Hearing with proof of service on father, Peter Garcia, <u>or</u> consent and waiver of Notice <u>or</u> declaration of due diligence.</p> | |
| | | | | |
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| | | | | |
| Cont. from | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | X |
| | Aff.Mail | | | X |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| | Conf. Screen | | | |
| | Letters | | | |
| | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | <p>Reviewed by: KT</p> <p>Reviewed on: 8/8/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6A – Morales</p> | |

6A

Ex Parte Petition for Withdrawal of Funds from Blocked Account

| | | | |
|-------------------------------------|----------------------|--|--|
| Age: 18 years | | <p>MARY MORALES, maternal grandmother/successor guardian, is petitioner.</p> <p>Father: PETER GARCIA – whereabouts unknown.</p> <p>Mother: SUSAN MORALES – deceased.</p> <p>Paternal grandparents: unknown Maternal grandfather: Deceased.</p> <p>Former minor, Gerald Ray Morales consents.</p> <p>Petitioner requests withdrawal of the funds in the blocked account totaling \$56,817.75. The petition requests distribution of the funds to the former minor, Gerald Ray Morales.</p> <p>Declaration of Gerald Ray Morales attached to the petition states Mr. Morales is asking the court to release the funds from his blocked account. Mr. Morales states since he has turned 18 he is no longer eligible for Social Security benefits and he has no money to pay for his personal needs. The money in the blocked account is his and he is asking the court to release the funds to him.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This matter was original presented ex parte. Order on Ex Parte Petition states the no accounting has been filed pursuant to Probate Code §2620. In addition, there are unpaid filing fees totaling \$990.00 due to a fee waiver granted to petitioner, who was appointed as successor guardian of the person and estate on 1/25/2012. Filing fees are due prior to distribution of assets.</p> <p>A Final Accounting has been filed and is set for hearing on 9/12/2013.</p> |
| | | | |
| | | | |
| | | | |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | <p>Reviewed by: KT</p> <p>Reviewed on: 8/8/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6B – Morales</p> | |

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

| | | | |
|------------|---------------|--|--|
| Age: | | | NEEDS/PROBLEMS/COMMENTS: |
| DOD: | | | |
| | | | |
| | | | |
| Cont. from | | | |
| | Aff.Sub.Wit. | | |
| | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | | |
| | Aff.Mail | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | <u>OFF CALENDAR.</u> Order for final distribution signed on 8/1/2012. |
| | | | Reviewed by: KT |
| | | | Reviewed on: 8/7/2013 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 7 – Martin |

| | | | |
|-------------------------------------|----------------------|---|--|
| DOD: 12/14/2012 | | KURT JOHN BREMENKAMP , Executor, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | Accounting is waived? (see note #2) | 1. Petition was not verified. Probate Code §1021. |
| Cont. from | | I & A - \$170,050.00 | 2. Need waiver of account from beneficiary, Sandra Lee Kunz. |
| <input type="checkbox"/> | Aff.Sub.Wit. | POH - \$170,050.00 | |
| <input checked="" type="checkbox"/> | Verified | Executor - waives | 3. Order does not distribute the refrigerator. Need revised order. |
| <input checked="" type="checkbox"/> | Inventory | | |
| <input checked="" type="checkbox"/> | PTC | | |
| <input checked="" type="checkbox"/> | Not.Cred. | Distribution of property on hand consisting of real property and a refrigerator is to: | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Kurt John Bremenkamp – ½ interest in real property and ½ interest in the refrigerator. | |
| <input checked="" type="checkbox"/> | Aff.Mail | Sandra Lee Kunz - ½ interest in real property and ½ interest in the refrigerator. | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | Reviewed by: KT |
| <input type="checkbox"/> | Status Rpt | | Reviewed on: 8/8/2013 |
| <input type="checkbox"/> | UCCJEA | | Updates: |
| <input type="checkbox"/> | Citation | | Recommendation: |
| <input checked="" type="checkbox"/> | FTB Notice | | File 8 – Bremenkamp |